

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 6

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

RELATING TO THE BUNKER HILL CLEANUP SITE; AMENDING SECTION 39-107A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN REAL PROPERTY OR INTERESTS IN SUCH PROPERTY ASSOCIATED WITH THE BUNKER HILL CLEANUP SITE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-107A, Idaho Code, be, and the same is hereby amended to read as follows:

39-107A. REAL PROPERTY IN BUNKER HILL CLEANUP SITE. Notwithstanding any other provision of law to the contrary, the department may accept transfer from the United States of any real property or interest in real property acquired by the United States for remediation purposes concerning any operable unit of the Bunker Hill Superfund Site pursuant to 42 U.S.C. section 9604(j). The state of Idaho shall incur no liability nor be subject to any claims related to the existence, release or threatened release of any hazardous substance or contaminant or pollutant on, or from, any such real property. The department may, in its sole discretion, manage, lease or dispose of such property for the purpose of facilitating appropriate operation and maintenance activities, encouraging economic development ~~of the Silver Valley~~ or assisting local governmental entities within the site. The management, lease or disposal of such property shall not be subject to chapter 3, title 58, Idaho Code. Any receipts from the management, lease or disposal of such property shall be deposited in the Bunker Hill Cleanup Trust Fund established by the Trust Fund Declaration of the state of Idaho dated May 2, 1994 (Attachment M, Consent Decree, United States of America v. Asarco, Inc. No. CV-94-0206-N-HLR (D. Idaho)) for the purpose of funding institutional control or operation and maintenance activities regarding the site.